

Table of Contents

Chapter 15-05 Permissible Uses and Standards

15-05-01	Permitted Land Use Matrix by Commercial, Office, Hospital, Institutional Care or Industrial Zones	1
A.	Matrix Explanation.	1
B.	Table of Uses.	1
C.	Explanatory Notes:	7
15-05-02	Permitted Land Use Matrix by Residential, Civic, or Open Space Zones	8
A.	Matrix Explanation	8
B.	Table of Uses	8
C.	General notes	13
15-05-03	Ancillary Uses	13
A.	General.	13
B.	Specific Ancillary Uses.	13
15-05-04	General Use Standards - Residential	14
A.	Residential Standards - General	14
B.	Residential Standards - Accessory Apartments and Extended Living Areas.	14
C.	Residential Standards - Earth-Sheltered Dwellings.	17
D.	Residential Standards - Swimming Pool Regulations	18
E.	Residential Standards - Bed and Breakfast Facility.	19
F.	Residential Standards - Accessory Buildings and Uses	20
G.	Residential Standards - Zoning For Animals	23
H.	Residential Parking Requirements and Restrictions	24
I.	Residential Facility for Elderly Persons or for Persons with a Disability	25
15-05-05	General Use Standards - Non-Residential	29
A.	Exposition/Convention Center	29
15-05-06	Sexually Oriented Businesses	32
A.	Purpose.	32
B.	Definitions.	32
C.	General Provisions	32
D.	Signage	33
E.	Severability.	33
15-05-07	Conditional Use Permit	33
A.	Purpose.	33
B.	Requirement for Conditional Use Permit.	33
C.	Determination	34
D.	Building Permit.	35
E.	Time Limit.	35
F.	Guidelines For Conditions.	35
G.	Conditional Use Appeals	37

Chapter 15-05 Permissible Uses and Standards

15-05-01 Permitted Land Use Matrix by Commercial, Office, Hospital, Institutional Care or Industrial Zones

- A. **Matrix Explanation.** The matrix below lists all permitted uses within Sandy City commercial zones. The letters "P", "C", or "N" shall mean "Permitted", "Conditional", or "Not Permitted" respectively. For those letters which are followed by a slash "/", the second letter shall indicate those location restrictions for business located within 250 feet of a residential district (unless bisected by a major arterial road as determined by the Sandy City Transportation Engineer in the Transportation Element of the Sandy City General Plan).

For those land uses marked with a superscript number (¹), refer to sub-section C following the table for explanation.

B. Table of Uses.

Land Use Category	CBD	CBD-P	CBD-O	RC	BC	CC	CN	CVC	CN HSN	HBD	LC	CR-PUD	IC	PO	ID	H	AM (Dealerships)	AM (Commercial)	RD
Accessory Apartments	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Accessory Structure (unless otherwise specified)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Accessory Residential Use (unless otherwise specified)	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N
Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N
Alcoholic Beverage Entertainment	C	C	C	C	C	C	C	N	N	N	C	C	N	N	N	N	N	C	N
Alcoholic Beverage Class A License	P/C	P	P	P/C	P/C	P/C	P/C	P/C	P	N	P/C	P/C	N	N	C	N	N	P	C
Alcoholic Beverage Class B License	P/C	P	P	P/C	P/C	P/C	C	C	C	C	P/C	P/C	N	N	C	N	N	P	C
Alcoholic Beverage Class D License	P/C	P	P	P/C	P/C	P	C	C	N	N	P/C	P/C	N	N	C	N	N	P	C
Alcoholic Beverage Class E License	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C	N	N	C	C
Alcoholic Beverage Package Agency	P	P	P	P/C	N	N	N	N	N	N	N	P/C	N	N	N	N	N	P	N
Alcoholic Beverage Private Club	C ⁴	C ⁴	C ⁴	P/C	N	N	N	N	N	N	N	P/C	N	N	N	N	N	P	N
Alcoholic Beverage State Liquor Store	C	C	C	C	N	N	N	N	N	N	N	C	N	N	N	N	N	C	N
Alzheimer's Facility	N	N	N	N	C	N	N	N	C	N	N	N	C	N	N	N	N	N	N
Ambulatory Surgical Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
Ancillary Commercial as part of a mixed use building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N	N
Ancillary Commercial as a stand alone use	P	P	P	P	P	P	P	P	P	P	P	P	P	C	N	N	N	N	N

Land Use Category	CBD	CBD-P	CBD-O	RC	BC	CC	CN	CVC	CN HSN	HBD	LC	CR-PUD	IC	PO	ID	H	AM (Dealerships)	AM (Commercial)	RD
Animal Hospital, Veterinary Office	C	N	N	P	P	P	P	N	N	N	P	P	N	N	N	N	N	P	N
Animal Kennel, Commercial	N	N	N	C	C	P/C	P/C	N	N	N	C	C	N	N	C	N	N	N	N
Arcade	N	N	N	P/C	C/N	P/C	C/N	N	N	N	N	P/C	N	N	N	N	C	P	N
Art Gallery	P	C	N	P	C	P	P	N	P	P	C	N	N	N	N	N	N	N	N
Athletic, Tennis, Health Club	P	C	C	P	P	P	P	N	P	N	C	P	N	N	N	N	C	P	N
Assembly, High Tech	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
Assisted Living Facility - Limited Capacity (must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	P	N	N	N
Assisted Living Facility - Large Capacity (must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)	N	N	N	N	P/C	P/C	C	N	P/C	N	C	N	p	N	N	P	N	N	N
Auto, Truck, RV, Equipment Sales & Rental	N	N	N	C	N	N	N	N	N	N	N	C	N	N	N	N	C	N	N
Auto, Truck, RV, Equipment Storage	N	N	N	C/N	N	N	N	N	N	N	N	C/N	N	N	C/N	N	N	N	N
Automotive Dealerships (new cars and light trucks) Sales and Service Agencies	N	N	N	C	N	N	N	N	N	N	N	C	N	N	N	N	P	C	N
Automotive Dealerships (used cars and light trucks)	N	N	N	C	N	N	N	N	N	N	N	C	N	N	N	N	P ¹ /C	C ¹	N
Automotive Rental and Leasing Agencies	N	N	N	C	N	N	N	N	N	N	N	C	N	N	N	N	C	C	N
Automotive Service (Lube and Oil)	N	N	N	P/C	C	C	C	N	C ²	N	N	P	N	N	P	N	P ¹	C ¹	N
Automotive Parts Sales	P	N	N	P	P	P	P	N	P	N	P	P	N	N	P	N	P ¹ /C	P/C ¹	N
Automotive Service and Repair - Major	N	N	N	P/N	N	N	N	N	N	N	N	P	N	N	P	N	P ¹ /C	P/C ¹	N
Automotive Service and Repair - Minor	N	N	N	P/C	C	C	C	N	C ²	N	N	P	N	N	P	N	P ¹ /C	P/C ¹	N
Automotive Self-Service Station	N	N	N	P/C	C	P/C	P/C	C	C ²	N	N	P/C	N	N	N	N	C	P	N
Automotive Service Station	N	N	N	P/C	C	P/C	P/C	C	C ²	N	N	P/C	N	N	N	N	C	P	N
Bed and Breakfast Facility	N	N	N	N	N	N	N	N	N	C	C	N	N	N	N	N	N	N	N
Birthing Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
Boarding House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Botanical and zoological gardens	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Building Lots that do not have Frontage on a Public Street	C	C	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	N

Land Use Category	CBD	CBD-P	CBD-O	RC	BC	CC	CN	CVC	CN HSN	HBD	LC	CR-PUD	IC	PO	ID	H	AM (Dealerships)	AM (Commercial)	RD
Business or Financial Services	P	P	P	P	P	P	P	P	P	C	P	P	N	P	P	P	C	P	P
Car Wash and Detailing Shops	P	N	N	P	P	P	P	P	P	N	N	P	N	N	P	N	P ¹ /C	P/C ¹	N
Cemetery, Columbarium, Crematory, Mausoleum	C	N	N	N	N	N	N	N	N	N	C	N	N	N	P	N	N	N	N
Commercial Center, Regional	C	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
Commercial Repair Services	C	N	N	P	P	P	P	P	P	N	N	P	N	N	N	N	N	N	N
Commercial, Convenience Store	N	N	N	P/C	C	P/C	P/C	P	N	N	N	C	N	N	N	N	N	N	N
Commercial Retail Sales and Services	P	P	N	P	P	P	P	P	P	C	C	P	N	N	P	N	N	P	C
Commercial, Heavy	C	N	N	C/N	N	N	N	N	N	N	N	P	N	N	P	N	N	N	N
Commercial, Parking Garage	C	C	C	P/C	N	C	N	N	N	N	N	P/C	N	N	N	N	C	P	P
Commercial, Specialty	N	N	N	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N
Commercial uses of a complimentary nature which are shown to be compatible and necessary for the development project.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Community Correctional Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Conference and Convention Facilities	N	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P	N
Conservation areas including but not limited to wilderness areas, watershed areas, wildlife refuges, wetlands, and any lands under the Jordan River Parkway Authority	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Convenience Sales and Services	P	C	C	P	P	P	P	P	P	P	P	P	N	N	P	N	C	C	N
Correctional Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Comprehensive Mental Health Treatment	C	N	N	C	C	N	N	N	N	N	C	C	N	N	N	N	N	C	N
Congregate Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Crematory, Embalming Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Dance Hall, Discotheque	N	N	N	C/N	N	N	N	N	N	N	N	C	N	N	C	N	N	C	N
Day Care, Group	C	N	N	P/C	P/C	P/C	P/C	N	P/C	N	P/C	C	N	C	N	N	P ¹	C ¹	N
Dwelling, Multiple Unit - Transitional Care Development	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Dwelling, Duplex	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Dwelling, Earth Sheltered	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Dwelling, Group Planned	N	N	N	N	C	N	N	N	N	N	C	N	N	N	N	N	N	N	N

Land Use Category	CBD	CBD-P	CBD-O	RC	BC	CC	CN	CVC	CN HSN	HBD	LC	CR-PUD	IC	PO	ID	H	AM (Dealerships)	AM (Commercial)	RD
Dwelling, Multiple Unit	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Dwelling, Single Family	N	N	N	N	C	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Educational Facility with Housing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
End Stage Renal Disease Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
Equestrian Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Equipment Sales and Services	N	N	N	P	P	P	P	N	C	C	C	C	N	N	P	N	C	C	N
Extended Living Areas	N	N	N	N	P	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Exposition/Convention Center	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Forests	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Fraternity or Sorority House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Historic Preservation and monument sites	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	N	C
Homeless Shelter	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Home Health Agency	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	P	N	N	N
Home Occupation, Category I&II	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Home Occupation Category III	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Hospice	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	P	N	N	N
Hospital	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	P	N	N	N
Hotel, Motel	C	C	C	P/C	N	C	N	N	P	N	N	P/C	N	N	N	N	C	P	C ¹
Industry, Light	C	N	N	P/C	N	N	N	N	N	C	N	P	N	N	P	N	C	P	C ¹
Industry, Medium	N	N	N	C/N	N	N	N	N	N	N	N	P	N	N	P	N	N	C	N
Jail	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Juvenile Detention Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Juvenile Secure Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Laboratories, Development and Testing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N	P
Library	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	C
Manufactured Homes	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Medical and Health Care Offices	P	P	P	P	P	P	P	N	P	C	P	P	C	P	P	P	C	P	P
Mixed Use, Residential and Office Use	N	C	N	N	N	N	N	N	P	C	C	N	N	N	N	N	N	N	C
Mixed Use Commercial/Residential Development	N	C	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N	N	N
Mobile Homes	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

Land Use Category	CBD	CBD-P	CBD-O	RC	BC	CC	CN	CVC	CN HSN	HBD	LC	CR-PUD	IC	PO	ID	H	AM (Dealerships)	AM (Commercial)	RD
Model Home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Mobile Home Park	N	N	N	C	N	N	N	N	N	N	N	C	N	N	N	N	N	N	N
Mortuary, Funeral Home	P	N	N	P	P	N	N	N	P	N	P	P	N	N	N	N	N	N	N
Multi-Family, 8 U/A	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Nursing Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	P	N	N	N
Nursing Home, Convalescent Home, and Rest Home (<i>must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage</i>)	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	P	N	N	N
Office, Administrative, Corporate, and General	N	P	P	C	C	C	C	C	C	C	C	C	C	C	C	N	N	N	P
Open air theaters and meeting places	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Open Space in Sensitive Area Overlay Zone	C	C	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	C
Park and Ride Facilities	C	N	N	P/C	C	C	C	N	N	N	P/C	P/C	N	C	C	N	N	N	C
Park and Ride Facilities on Arterial Streets	C	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	N	C
Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
Pawn Shop	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C ²	N	N	N	N
Permanent Make-Up	P	N	N	P	P	P	P	P	P	N	P	N	N	N	N	N	N	N	N
Planned Unit Development	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	C ⁵
Plant Nursery	N	N	N	P/C	C	C	C	N	N	N	P/C	P/C	N	N	N	N	N	N	N
Playgrounds	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Prison	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Protective Housing Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Prototype Production Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	P
Public and private parks and recreation areas including but not limited to playgrounds, athletic fields, golf courses, country clubs, tennis courts, and swimming pools.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
Publicly dedicated open space	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	N	C
Public Service	P	C	C	P	P	P	P	N	P	C	P	P	N	C	P	N	C	P	C
Public Utility Station	P	C	C	P	C	C	C	C	N	N	C	P	N	C	P	N	C	P	C
Reception Center	N	N	N	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	C ¹
Recreation Center	P	N	N	P/C	N	P/C	P/C	N	C	N	P/C	P/C	N	N	C	N	C	P	N
Recreation, Indoor	P	P	N	P	P	P	P	N	P	C	P	P	N	N	C	N	C	P	N
Recreation, Outdoor	C	N	N	P/C	N	N	N	N	C	N	P/C	P/C	N	N	C	N	C	P	N

Land Use Category	CBD	CBD-P	CBD-O	RC	BC	CC	CN	CVC	CN HSN	HBD	LC	CR-PUD	IC	PO	ID	H	AM (Dealerships)	AM (Commercial)	RD
Recreational Vehicle Park	N	N	N	C/N	N	N	N	N	N	N	N	C/N	N	N	N	N	N	N	N
Recyclable Materials Collection/Drop-Off Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N
Rehabilitation/Treatment Facility	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
Religious or Cultural Activity	P	C	C	P	P	P	P	N	P	C	C	P	N	C	N	N	N	P	C
Research, Business and Scientific	N	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P
Research Park	C	N	C	P	N	N	N	N	N	C	N	P	N	N	P	N	C	P	C
Residential Facility for Elderly Persons <i>(must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)</i>	N	N	N	C	C	C	C	N	C	N	C	N	P	N	N	N	N	N	N
Residential Facility for Persons with a Disability <i>(must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)</i>	N	N	N	C	C	C	C	N	C	N	C	N	P	N	N	N	N	N	N
Residential Lease, Short Term	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Residential Health Care Facility, Residential Care Facility	N	N	N	C	C	C	C	N	N	N	C	N	C	N	N	N	N	N	N
Restaurant	P	C	C	P	P	P	P	P	P	C	C	P	N	C	P	N	C	P	C
Restaurant, Drive-up Window	C/N ¹	N	N	C/N ¹	C/N ¹	P/C ¹	C/N	N	C/N ³	N	N	C/N ¹	N	N	N	N	C	C	N
School, Commercial	P	C	C	P	P	P	P	N	P	N	P	P	N	N	P	N	C	P	N
School, Commercial (Low-Impact)	P	C	C	P	P	P	P	N	P	N	P	P	N	N	N	N	C	C	C
School, Private or Quasi-Public	C	C	C	C	C	C	C	N	N	N	C	C	N	C	N	N	C	C	C
School, Public	C	C	C	C	C	C	C	N	N	N	C	C	N	C	N	N	C	C	C
Sheltered Workshop	P	C	C	P	P	P	P	N	P	N	P	P	N	N	N	N	N	N	N
Small Health Care Facility	N	N	N	N	P/C	P/C	C	N	P/C	N	C	N	C	N	N	P	N	N	N
Social Detoxification Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
Social or Reception Center	P	C	N	P	P	P	P	N	P	C	C	P	N	P	N	N	N	P	N
Storage (Mini-Storage) Facilities	N	N	N	P/C	C	C	N/C ⁶	N	N	N	C	P/C	N	N	P	N	N	N	N
Street Vendors	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
Tattoo Parlor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C ²	N	N	N	N
Trade or Vocational School	P	C	C	P	P	P	P	N	P	N	P	P	N	N	N	N	N	N	N
Transitional Care Development	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N

Land Use Category	CBD	CBD-P	CBD-O	RC	BC	CC	CN	CVC	CN HSN	HBD	LC	CR-PUD	IC	PO	ID	H	AM (Dealerships)	AM (Commercial)	RD
Transitional Housing Facility (must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)	C	N	N	C	C	C	N	N	C	N	C	N	N	N	N	N	N	N	N
Twin Home	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Theater	C	C	C	P/C	P/C	P/C	C/N	N	C	C	N	P/C	N	N	N	N	N	P	N
Warehouse, Wholesale	N	N	N	P/C	C	N	N	N	N	N	N	P/C	N	N	P	N	N	N	N
Veterinary Hospital, Small Animal	C	N	N	P	C	C	C	N	C	N	P	P	N	N	N	N	N	N	N
Zero Lot Line Development (Detached Only)	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Zero Lot Line Development	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N

C. Explanatory Notes:

1. The use is not permitted if any part of the proposed/existing building containing the use is within one hundred (100) feet of a dwelling or probable location of a dwelling on existing residentially zoned property.
2. The use is only permitted as a conditional use along the west side of State Street in the CN(HSN) Zone.
3. The use is not permitted if any part of the proposed/existing building containing the use is within two hundred thirty (230) feet of a residential district (unless bisected by a major arterial road as determined by the Sandy City Transportation Engineer in the Transportation Element of the Sandy City General Plan).
4. The use is only authorized as a permitted or conditional use (as designated in the land use matrix) if it is clearly ancillary, subordinate and traditionally accessory to the existing or proposed permitted land use.
5. Planned Unit Development permitted at a density of 12 units per acre.
6. Mini Storage Units only permitted as a conditional use in the CN Zone for areas south of 9600 South and north of 10000 South, and east of 700 East and west of 1300 East. Use is not permitted in all other areas of the CN Zone.

15-05-02 Permitted Land Use Matrix by Residential, Civic, or Open Space Zones

- A. **Matrix Explanation.** The matrix below lists all permitted uses within Sandy City residential, civic or open space zones. The letters "P", "C", or "N" shall mean "Permitted", "Conditional", or "Not Permitted" respectively. For those letters which are followed by a slash "/", the second letter shall indicate those location restrictions for business located within 250 feet of a residential district (unless

bisected by a major arterial road as determined by the Sandy City Transportation Engineer in the Transportation Element of the Sandy City General Plan).

For those land uses marked with a superscript number (¹), refer to sub-section C following the table for explanation.

B. Table of Uses

Land Use Category	R-1-40	R-1-30	R-1-20	R-1-15	R-1-10	R-1-9	R-1-8	R-1-8INF	R-1-7.5(HS)	R-1-6	R-2-10	R-2-8	RM	MH	OS	PUD
Accessory Apartments	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	C
Accessory Structure (unless otherwise specified)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P
Accessory Residential Use (unless otherwise specified)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P
Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	P
Alcoholic Beverage Entertainment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Alcoholic Beverage Class A License	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Alcoholic Beverage Class B License	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Alcoholic Beverage Class C Tavern	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Alcoholic Beverage Class D License	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C ¹	C
Alcoholic Beverage Class E License	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C ¹	C
Alcoholic Beverage Package Agency	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Alcoholic Beverage Private Club	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Alcoholic Beverage State Liquor Store	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Alzheimer's Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Ambulatory Surgical Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Ancillary Commercial as part of a mixed-use building	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Ancillary Commercial as a stand alone use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Animal Hospital, Veterinary Office	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Animal Kennel, Commercial	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Arcade	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Athletic, Tennis, Health Club	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	C

Land Use Category	R-1-40	R-1-30	R-1-20	R-1-15	R-1-10	R-1-9	R-1-8	R-1-8INF	R-1-7.5(HS)	R-1-6	R-2-10	R-2-8	RM	MH	OS	PUD
Assisted Living Facility - Limited Capacity (must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P
Assisted Living Facility - Large Capacity (must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Auto, Truck, RV, Equipment Sales & Rental	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Auto, Truck, RV, Equipment Storage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Automotive Service and Repair - Major	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Automotive Service and Repair - Minor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Automotive Self-Service Station	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Automotive Service Station	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Bed and Breakfast Facility	C	C	C	C	C	C	C	C	C	N	N	N	C	N	N	C
Birthing Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Boarding House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Botanical and Zoological Gardens	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
Building Lots that do not have Frontage on a Public Street	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	N
Business or Financial Services	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N
Cemetery, Columbarium, Crematory, Mausoleum	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N
Commercial Repair Services	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Commercial, Convenience Store	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Commercial Retail Sales and Services	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Commercial, Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Commercial, Parking Garage	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Commercial, Specialty	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Commercial uses of a complimentary nature which are shown to be compatible and necessary for the development project.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
Community Correctional Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

Land Use Category	R-1-40	R-1-30	R-1-20	R-1-15	R-1-10	R-1-9	R-1-8	R-1-8INF	R-1-7.5(HS)	R-1-6	R-2-10	R-2-8	RM	MH	OS	PUD
Congregate Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
Conservation areas including but not limited to wilderness areas, watershed areas, wildlife refuges, wetlands, and any lands under the Jordan River Parkway Authority	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C
Correctional Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Comprehensive Mental Health Treatment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Crematory, Embalming Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Dance Hall, Discotheque	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Day Care, Group	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	P
Dwelling, Multiple Unit - Transitional Care Development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Dwelling, Duplex	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	C
Dwelling, Earth Sheltered	C	C	C	C	C	C	C	C	C	C	C	C	N	N	N	P
Dwelling, Group Planned	C	C	C	C	C	C	C	C	C	C	C	C	C	N	N	C
Dwelling, Multiple Unit	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	C
Dwelling, Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P
Educational Facility with Housing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
End Stage Renal Disease Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Equestrian Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C
Exposition/Convention Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Extended Living Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	P
Forests	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
Fraternity or Sorority House	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Historic Preservation and monument sites	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Homeless Shelter	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Home Health Agency	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
Home Occupation, Category I&II	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P
Home Occupation Category III	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C
Hospice	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Hospital	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Hotel, Motel	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Industry, Light	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

Land Use Category	R-1-40	R-1-30	R-1-20	R-1-15	R-1-10	R-1-9	R-1-8	R-1-8INF	R-1-7.5(HS)	R-1-6	R-2-10	R-2-8	RM	MH	OS	PUD
Industry, Medium	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Jail	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Juvenile Detention Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Juvenile Secure Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Manufactured Homes	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
Medical and Health Care Offices	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N
Mixed Use, Residential and Office Use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Mixed Use Commercial/Residential Development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Mobile Homes	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	N
Model Home	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C
Mobile Home Park	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C
Mortuary, Funeral Home	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N
Multi-Family, 8 U/A	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Nursing Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Nursing Home, Convalescent Home, and Rest Home (<i>must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage</i>)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
Open air theaters and meeting places	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
Open Space in Sensitive Area Overlay Zone	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Park and Ride Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Park and Ride Facilities on Arterial Streets	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	N
Parks	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Pawn Shop	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Permanent Make-Up	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Planned Unit Development	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N	C
Plant Nursery	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Playgrounds	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Prison	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Protective Housing Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Public and private parks and recreation areas including but not limited to playgrounds, athletic fields, golf courses, country clubs, tennis courts, and swimming pools.	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Land Use Category	R-1-40	R-1-30	R-1-20	R-1-15	R-1-10	R-1-9	R-1-8	R-1-8INF	R-1-7.5(HS)	R-1-6	R-2-10	R-2-8	RM	MH	OS	PUD
Publicly dedicated open space	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public Service	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public Utility Station	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Recreation Center	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	P
Recreation, Indoor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
Recreation, Outdoor	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Recreational Vehicle Park	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Recyclable Materials Collection/Drop-Off Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Rehabilitation/Treatment Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Religious or Cultural Activity	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C
Research Park	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Residential Facility for Elderly Persons <i>(must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)</i>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P
Residential Facility for Persons with a Disability <i>(must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)</i>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	P
Residential Lease, Short Term	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Residential Health Care Facility, Residential Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	C
Restaurant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Restaurant, Drive-up Window	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
School, Commercial	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
School, Commercial (Low-Impact)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
School, Private or Quasi-Public	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C
School, Public	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C
Sheltered Workshop	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Small Health Care Facility	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	C
Social Detoxification Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Social or Reception Center	C	C	C	C	C	C	C	C	C	C	C	C	C	C	N	C
Storage (Mini-Storage) Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

Land Use Category	R-1-40	R-1-30	R-1-20	R-1-15	R-1-10	R-1-9	R-1-8	R-1-8INF	R-1-7.5(HS)	R-1-6	R-2-10	R-2-8	RM	MH	OS	PUD
Street Vendors	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Tattoo Parlor	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Trade or Vocational School	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Transitional Care Development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Transitional Housing Facility (must comply with development standards for that zone - i.e., setback, height, bulk, min/max square footage)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Twin Home	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	P
Theater	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Warehouse, Wholesale	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Veterinary Hospital, Small Animal	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N
Zero Lot Line Development (Detached Only)	N	N	C	C	C	C	C	C	C	C	C	C	C	N	N	C
Zero Lot Line Development	N	N	C	C	C	C	C	C	C	C	C	C	C	N	N	C

C. General notes.

1. Permitted as a conditional use only within golf course grounds and facilities. Not permitted in other facilities or uses in the Open Space Zone.

15-05-03 Ancillary Uses.

A. **General.** All permitted and conditional land uses within each Zone may conduct ancillary uses, provided such use is not regulated by other sections or is listed as a prohibited land use in this zone. In addition to those ancillary uses that are customarily found in conjunction with the permitted or conditional primary uses of the property, the following uses may be permitted as a conditional use as an ancillary use to the primary use of the property.

B. Specific Ancillary Uses.

1. CBD Zone.

- a. **Gasoline Dispensing Sales.** This ancillary use shall not include additional services or products with the operation of this use, other than those products or services that are associated with the primary use of the property. To qualify for the ancillary use as a conditional use permit, sales receipts generated by gasoline dispensing shall not exceed more than 10% of the total sales volume of the primary use of the property. The sales and dispensing of gasoline shall be in compliance with all Federal, State and Local laws governing such activity.

2. RD Zone.

- a. Warehousing as a subordinate function of the primary use of the development may be approved upon review by the Planning Commission.

15-05-04 General Use Standards - Residential

A. Residential Standards - General

1. Mobile Homes. No mobile home shall be placed, used, or occupied in Sandy City except within approved mobile home subdivisions, mobile home parks or mobile home sales lots.
2. Manufactured Homes. All manufactured homes, placed pursuant to §10-9-106.5, Utah Code Unannotated, within a standard R-1 residential subdivision, shall install a concrete foundation wall around the perimeter of the structure. Such structures shall also include a required 2-car garage (attached or detached) prior to occupancy of the structure.
3. Conservation of Values. It shall be the responsibility of each property owner to maintain their property in a good, clean condition, making necessary repairs to the home, accessory structures (including fencing, yard lights, and other appurtenances) and landscaping. Good condition shall mean properly painted structures, fences in an upright and stable position, landscaping free of weeds, dead materials (i.e., dead trees or shrubs), as well as generally accepted maintenance practices for residential property.
4. Park strip maintenance shall be the responsibility of the adjacent property owner. Proper maintenance shall include the removal of all weeds (regardless of height) and debris. Adjacent property owners are encouraged to landscape and beautify the parkstrip. Placement of concrete slabs or other impenetrable material, other than approved streetscape materials, within the parkstrip is prohibited.

- B. Residential Standards - Accessory Apartments and Extended Living Areas.** This Sub-section is established to provide regulations and design standards for accessory apartments and extended living areas within single family dwellings in residential zone districts. Accessory apartments may be allowed by conditional use permit in order to make housing units available to moderate income households, providing economic relief to those homeowners who might otherwise be forced to leave the neighborhood.

Extended living areas shall be allowed as a permitted use in order to make living units available which are appropriate for households at a variety of stages in the life cycle.

1. Requirements for Approval of an extended living area. Approval for an extended living area may be granted by the Community Development Department. The granting of approval for an extended living area shall not exempt the applicant from meeting other applicable ordinances, covenants, codes or laws recognized by Sandy City.

The following pre-conditions and documentation are required:

- a. A letter of application sworn before a notary public shall be provided by the owner(s) stating that such owners will occupy the said dwelling, except for bona fide temporary absences, and that the individuals residing in the extended living area are related by blood/ marriage or adoption.
- b. It shall be prohibited to construct an extended living area within a mobile home.

- c. Upon sale of the home or change of primary occupant, the approval for an extended living area shall expire, that is, the approval is not transferable.
 - d. Sandy City shall record the approval for an extended living area with the Salt Lake County Recorder's Office, including any special conditions of approval to guarantee compliance with the approval.
2. Requirements for Approval of an accessory apartment. A conditional use permit may be granted by the Planning Commission for accessory apartments provided that the following requirements are met in addition to the requirements of Conditional Use Review.

The granting of a conditional use permit for an accessory apartment shall not exempt the applicant from meeting other applicable ordinances, covenants, codes, or laws recognized by Sandy City.

The following pre-conditions and documentation are required:

- a. A letter of application sworn before a notary public shall be provided by the owner(s) stating that such owners will occupy the said dwelling, except for bona fide temporary absences.
 - b. The effective period of the conditional use permit for accessory apartments shall be 2 years from the date of the original permit. At the end of every 2 years, renewal may be granted upon receipt by the Director of certification by the property owner that the property remains the principal residence of the owner and that all other conditions met at the time of the original application remain unchanged. Notification shall be sent to the owner for response. Failure to obtain such certification may be the basis for revocation of the conditional use permit. The Planning Commission, in its sole discretion, may require a new application and a demonstration of compliance with all conditions necessary for a conditional use permit.
 - c. A floor plan of 1/4-inch to the foot showing the floor in which the accessory apartment will be located shall be provided.
 - d. It shall be prohibited to construct a new speculative home with an accessory apartment constructed concurrently.
 - e. It shall be prohibited to construct an accessory apartment within a mobile home.
 - f. Upon sale of the home or change of primary occupant, the conditional use permit shall expire, that is, the conditional use permit is not transferable.
 - g. Sandy City shall record the approval for an accessory apartment with the Salt Lake County Recorder's Office, including any special conditions of approval to guarantee compliance with the approval.
3. Design Standards For Accessory Apartments.
- a. Only one apartment shall be created within a single-family dwelling and said area shall be clearly a subordinate part of the dwelling. The apartment shall not occupy any accessory buildings (i.e., guest cottage).

- b. The owner(s) of the residence shall live in the dwelling in which the apartment was created, except for bona fide temporary absences.
 - c. The accessory apartment shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a single family residence, including retention and enhancement of landscaping.
 - d. It shall be prohibited to install separate utility meters, separate addresses and mailboxes, etc..
 - e. All new entrances shall be located on the side or in the rear of the building.
 - f. In no case shall an accessory apartment comprise more than 30 percent of the building's total floor area nor be greater than 800 square feet nor have more than 2 bedrooms, unless, in the opinion of the Planning Commission a greater or lesser amount of floor area is warranted by the circumstances of the particular building. An accessory apartment is a complete, separate housing unit that shall be within the original dwelling unit.
 - g. The design and size of the apartment shall conform to all applicable standards in the Fire, Building, and Health Codes. The applicant shall obtain all necessary building permits prior to construction of the accessory apartment. If the applicant is unable to comply with the terms of the Uniform Building Code and Uniform Fire Code, as adopted by Sandy City, the request for conditional use permit shall be denied.
 - h. Occupancy. The occupants of the accessory apartment shall be related to each other by blood, marriage, or adoption; or up to two [2] unrelated individuals who are living as a single housekeeping unit upon a showing of no negative impact on the neighborhood or it otherwise legally required. The occupants of the accessory apartment shall not sub-lease a portion of the accessory apartment to other individuals.
 - i. At least three off-street parking spaces shall be available for use by the owner of the home and the occupant(s) of the accessory apartment. The Planning Commission may approve up to three [3] additional vehicles provided that adequate off-street parking can be provided. The three [3] additional vehicles are in addition to those of the owner of the home. All parking shall be upon a hard surface (concrete, asphalt, brick, etc.) Tandem parking spaces are not to be counted for the purpose of determining additional required parking spaces. However, tandem parking by the occupants of the home is not prohibited. On-street parking is reserved for guests only.
 - j. Any other appropriate or more stringent conditions deemed necessary for accessory apartments in protecting public health, safety, welfare, and the single family character of the neighborhood shall be established by the Planning Commission.
4. Design Standards For Extended Living Areas.
- a. Only one extended living area shall be created within a single-family dwelling and said area shall be clearly a subordinate part of the dwelling.
 - b. The owner(s) of the residence shall live in the dwelling in which the extended living area is created, except for bona fide temporary absences.
 - c. The extended living area shall be designed so that, to the degree reasonably feasible, the

appearance of the building remains that of a single family residence, including prohibition of separate utility meters, separate addresses and mailboxes, etc.. All new entrances shall be located on the side or in the rear of the building.

- d. The design and size of the extended living area shall conform to all applicable standards in the Fire, Building, and Health Codes. In addition, extended living areas shall have free-flow access with other portions of the dwelling.
- e. Extended living areas shall be used for family members only or for employed household maintenance personnel on a non-rental basis.

C. Residential Standards - Earth-Sheltered Dwellings. The following regulations shall apply to dwellings constructed underground, or partially underground, for purposes of energy conservation:

- 1. Emergency Egress. There shall be immediate emergency egress from all sleeping rooms.
- 2. Exterior Windows. At least half of the habitable rooms of an earth-sheltered dwelling unit shall be provided with exterior windows and shall receive a minimum of one hour of sunlight on each clear day. There shall be a minimum exposure of western windowed walls to the late afternoon sun in the summer.
- 3. Natural Light. Artificial light may be allowed as a substitute for natural lighting, however, the overall natural lighting or exterior glazing requirement shall be 8 to 10 percent of the floor area of the habitable rooms.
- 4. Minimum Floor Area. The required minimum floor area may be waived for any earth-sheltered dwelling structure if that structure is designed for energy conservation and the structure will meet all applicable building, development and health codes.
- 5. Setbacks. Any exterior wall in an earth-sheltered dwelling unit may extend into the rear, side or front setback a maximum of one-half of the required setback distance of that zone district. Except:
 - a. Any exterior wall containing a window facing the front street property line shall be built behind the required front setback area.
 - b. The distance between the side lot line and a side wall containing windows shall not be less than 6 feet from the side property line.
 - c. No part of the outdoor living area shall exceed 8 percent slope and 15 feet of the depth shall not exceed 2 percent slope.
 - d. No inside living space or exterior wall may encroach upon any easement, right-of-way, or any access for maintenance or may cause instability to neighboring structures.
- 6. Bermed structures shall have one foot of setback for every foot of berm above existing grade.
- 7. Guardrails. Fences or barriers shall be required along roof edges or any vertical drop. Fences or barriers which will prevent access to the roof area may be setback from the roof edge.

F. Site Plan Review. Plans for construction of earth-sheltered dwellings shall be subject to the

applicable standards outlined in this Title, including a grading and landscaping plan. The plans shall be reviewed by the Planning Commission.

D. Residential Standards - Swimming Pool Regulations

1. Private Swimming Pools.

- a. Any private swimming pool not completely enclosed within a building having solid walls shall be set back at least 5 feet from property lines. Any swimming pool shall be completely surrounded by a fence or wall having a height of at least 6 feet. There shall be no openings larger than 36 square inches except for gates which shall be equipped with self-closing and self-latching devices.
- b. Private swimming pools will be permitted where they can meet the necessary setback requirements.

2. Semi-Private Swimming Pools. Outdoor Recreation Definition. The Planning Commission may permit temporarily or permanently the use of land in any district for semi-private swimming pools or recreational facilities providing that in all cases the following conditions are met.

- a. The facilities shall be owned and maintained by the members and a minimum of 75 percent of the membership must be residents of the neighborhood or section of the subdivision in which the recreational facility is to be located.
- b. The area to be used for recreational purposes is of sufficient size to accommodate all proposed facilities, together with off-street parking, where required by the Planning Commission. A landscaped front yard of not less than 30 feet and a landscaped side yard on both sides and rear of not less than 10 feet is required.
- c. The area to be developed into a recreational area must be of such size and shape as to cause no undue infringement on the privacy of the abutting residential areas and be in keeping with the design of the neighborhood in which the recreational area is to be situated.
- d. A solid wall or substantial fence shall be required around the entire recreational area to a height of not less than 6 feet, no more than 8 feet, the fence across the front of the property to be constructed no nearer to the front property line than the required front setback.
- e. Under no condition may any type of retail or business facilities, including vending machines, be permitted in the recreational area except those specifically approved by the Planning Commission.
- f. Before authorizing the recreational facility, complete plans for the development of the area must be submitted to the Planning Commission. Together with the plans, there must be submitted a detailed outline showing how the area is to be financed and maintained. The Planning Commission may require a bond by the owners to guarantee performance of the regulations placed as conditions upon which the area is approved. If any of the requirements are not complied with, the authorization will be void.
- g. The owners of the proposed recreational facility must have a statement from the owners of all abutting property and at least 75 percent of the property owners within a radius of 300 feet of said development giving permission to develop a recreational facility. Covenants and

conditions regulating the use of the facility shall be submitted to the Planning Commission and the Salt Lake County Board of Health for review and approval.

E. Residential Standards - Bed and Breakfast Facility. This subsection is established to provide regulations and site standards for bed and breakfast facilities within residentially zoned districts, as may be allowed through the development review process. Bed and breakfast facilities may be allowed by conditional use permit where the applicant can show evidence of compliance with outlined standards and procedures and where there is clearly minimal impacts on adjacent residential properties and neighborhoods.

1. Requirements for approval. A conditional use permit may be granted by the Planning Commission for a bed and breakfast facility provided that the requirements herein are met in addition to the requirements for a Conditional Use Permit.

The granting of a conditional use permit for a bed and breakfast facility shall not exempt the applicant from meeting other applicable ordinances, covenants, codes, or laws recognized by Sandy City.

The following pre-conditions and documentation are required:

- a. A letter of application sworn before a notary public shall be provided by the owner(s) stating that such owners or live-in residential manager will occupy the said facility, except for bonafide temporary absences. Said letter shall be recorded by the Salt Lake County Recorder with a certified copy to accompany the building permit application.
- b. The effective period of the conditional use permit for bed and breakfast facilities shall be 2 years from the date of the original permit. At the end of every 2 years, renewal shall be automatically granted upon receipt by the Director of certification by the property owner that the property remains the principal residence of the owner or live-in residential manager, and that all other conditions required at the time of approval remain unchanged.

Notification shall be sent to the owner for response. Failure to obtain such certification may be the basis for revocation of the conditional use permit. The Planning Commission, at its discretion, may require a new application and a demonstration of compliance with all conditions necessary for a conditional use permit.

- c. Building plans or a floor plan (1/4 inch to the foot) showing the bed and breakfast facility shall be provided.
2. Development Standards and Requirements for Bed and Breakfast Facilities.
 - a. The owner(s) of the property or live-in residential manager shall live within the facility, except for bonafide temporary absences. A change in ownership will necessitate the request of a new conditional use permit.
 - a. The location of a bed and breakfast facility shall have direct access to an arterial or major through-street. Said facility will typically be isolated somewhat from adjoining residential properties and will not unduly increase local traffic in the immediate neighborhood.
 - b. The location of a bed and breakfast facility shall be at least 1/4 mile from any other similarly approved facility, unless it is determined by the Planning Commission that extraordinary

circumstances warrant a shorter distance.

- c. The bed and breakfast facility shall be located on a larger parcel than a typical residential lot. The parcel shall also be of sufficient size to be in scale with the size of structures, the number of people using the facility, parking areas, open space areas, etc. In no case shall the parcel be less than one acre in size, unless it is determined by the Planning Commission that the site is architecturally or historically significant enough to justify a smaller parcel.
- d. The bed and breakfast facility shall be designed or existing structure modified so that, to the degree reasonably feasible, the appearance of the structure remains as a residential dwelling. Unique architecture is encouraged, where possible, in keeping with the local area.
- e. Signage for a bed and breakfast facility shall be low-key, identifying the name of the facility without any advertising copy. Natural materials are encouraged for sign construction and should be architecturally compatible with the bed and breakfast facility. Sign size shall be comparable with typical real estate signs.
- f. The development parcel for the bed and breakfast facility shall include appropriate setbacks, buffering, landscaping, and natural setting to mitigate impacts on adjoining residential properties.
- g. At least one off-street parking space shall be provided for each guest room in addition to needed parking for owners/employees of the facility.
- h. The design and size of the bed and breakfast facility shall conform to all applicable standards in the Fire, Building, and Health Codes. The facility shall be licensed in conformance with all City ordinances.
- i. Any other appropriate or more stringent conditions deemed necessary for bed and breakfast facilities protecting public health, safety, welfare, and the residential character of the neighborhood may be required by the Planning Commission.

F. Residential Standards - Accessory Buildings and Uses

1. Accessory Building Setbacks.

- a. General. Accessory buildings shall be constructed in such a manner that the roof does not overhang the property line, water runoff does not infringe onto adjoining property, the three [3] foot setback area is kept free of weeds, trash and debris, and complies with the minimum setback distances listed below:
- b. Table of Setbacks.

	Setback
From side property line in rear yard	3
From side property line adjacent to home	6
From rear property line	3
From front property line	30

From main dwelling	6
From dwelling on adjacent property	10

- c. Easements. Accessory buildings or uses shall not encroach upon any easement or right-of-way without proper written release or acknowledgment from all utility and drainage companies. Copy of such release/acknowledgment shall be presented at time of building permit application. Release of use of the easement does not remove any other requirements as stated in this Code.
- d. Detached Garages. Detached garages shall be set within the rear yard of the home, and are not permitted in the side yard.

2. Maximum square footage.

a. Table of Maximum Accessory Structure Size

The Lesser Measurement of the Two Shall be the Maximum Permitted Size of the Square Footage of All Accessory Structures combined		
Zone Classification	Maximum Size (percentage of rear yard)	Alternate Maximum size
R-1-15 or smaller (i.e., R-1-9, -8, etc)	25%	750 square feet
R-1-20 or larger (i.e. R-1-30, -40, etc)	25%	1,500 square feet

For those zones not listed (such as “SD” and “PUD” zones), the residential district most closely associated with that zone shall be used to determine the maximum size allowable. All zones with animal rights (with the “A” designation at the end of the zone classification) shall conform to its’ similar non-animal right zone classification.

- b. **EXCEPTION:** A building may be built **up to twenty-five percent [25%]** larger **than the permitted size** upon receipt of a conditional use permit from the Sandy City Planning Commission. The Planning Commission shall consider the scale of the building in relation to the immediate surroundings, the nature of the zone and land uses in the immediate vicinity, architectural design, landscaping, access, proposed use, impact upon adjacent properties, in addition to other criteria normally considered during the conditional use permit process.

3. Maximum Height.

a. Table of Maximum Accessory Height.

	Side Yard	Rear Yard
Zone Classification		

	Maximum Height to Peak	Maximum Height to Peak	Maximum Height to Mid-Point of Roof
R-1-12 or smaller (i.e., R-1-9, -8, etc)	8	15	12
R-1-15 or larger (i.e. R-1-30, -40, etc)	8	20	16

- b. A building may be built taller, up to the maximum building height for a permitted dwelling within the zone in which it is located, upon receipt of a conditional use permit from the Sandy City Planning Commission. The Planning Commission shall consider the scale of the building in relation to the immediate surroundings, the nature of the zone and land uses in the immediate vicinity, architectural design, landscaping, access, proposed use, impact upon adjacent properties, in addition to other criteria normally considered during the conditional use permit process.

- (1) The Planning Commission may require additional setback from side and rear property lines for those structures seeking a conditional use permit to increase the size (height or square footage) of the structure.
- (2) Special Requirements for Side Yards. Accessory buildings in the side yard shall be screened from view from access streets, freeways and adjacent properties by an opaque type screening. On corner lots accessory buildings or uses shall be located to the rear of the main building and not be located within the required front yard setback of the home for that frontage.

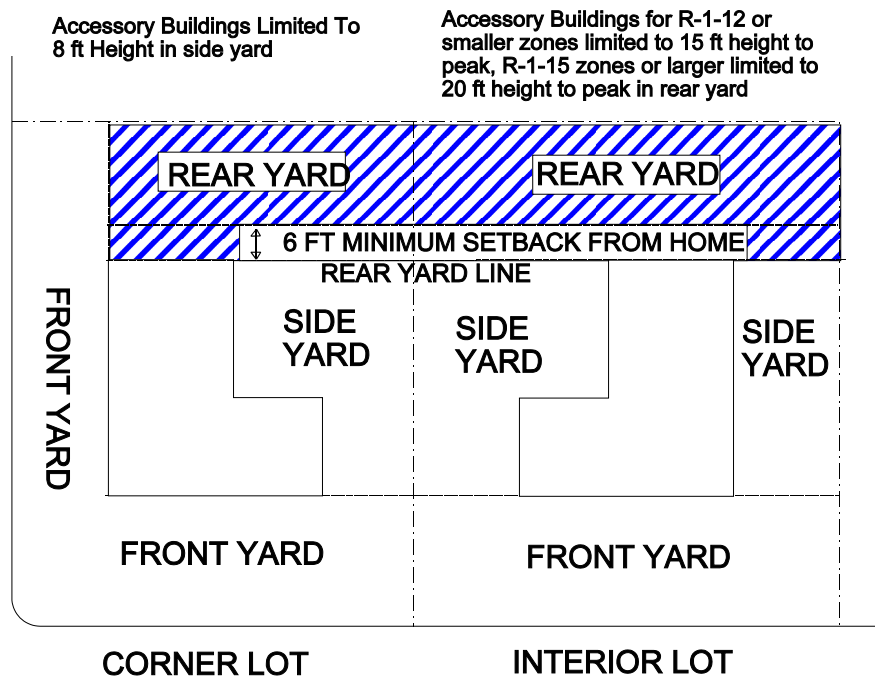
4. Other Requirements.

- a. Separate meter connections for water, sewer, or gas utilities are not permitted for accessory buildings.
- b. All accessory structures and buildings shall be designed and constructed as to be compatible with the architectural components of the main dwelling or building. This includes similar roof pitch, similar exterior materials and design, landscaping, etc.
- c. Accessory structures shall be completed in a timely manner as specified by the Uniform Building Code, as adopted by Sandy City.
- d. For those residences that were not originally constructed with an attached 2-car garage, a detached garage may be built in the rear yard that is at least 624 square feet in size regardless of the percentage of the lot covered. In the event that a larger garage is desired, but exceeds twenty-five percent [25%] of the rear yard, compliance shall be made with sub-paragraph 3 above. In no way does this section permit the intrusion into required building setbacks to property lines, easements or main structures.
- e. See chart below for clarification of proper locations of accessory structures.

G. Residential Standards - Zoning For Animals

1. Farm Animals.

- a. Designation of R-1-40, R-1-30, R-1-20 and R-1-15 Districts. Property owners in any R-1-40, R-1-30, R-1-20 or R-1-15 Residential District may submit a petition for designation of the district for the keeping and raising of farm animals. An "A" following a zone designation indicates farm animals are permitted.
- b. Procedure for Designation.



Definition of location of Front yard, Side yard and Rear yard areas.

- (1) Property owners shall prepare a petition signed by a majority of the owners of residential property in the district indicating a willingness to accept such designation. A portion of such district may be designated, but shall be comprised of at least 5 contiguous properties.
- (2) Such petition shall be submitted to the Community Development Department and shall be approved by the Planning Commission and the City Council. Farm animal use may be commenced immediately following official approval action by the Council.
- (3) Upon approval by the City Council, the Community Development Department shall modify the Zone District Map to show the symbol (A) following the zone designation for the district.
- (4) Such designation may be removed by the same petition process although existing non-

conforming uses may continue.

c. Standards for Farm Animal Use.

- (1) Large animals may be kept at a ratio of 2 animals for each ½ acre of lot size (no less than 20,000 sq. ft.), or;
 - (2) Medium animals may be kept at a ratio of 5 animals for each ½ acre of lot size (no less than 20,000 sq. ft.), or;
 - (3) Small animals may be kept at a ratio of 50 animals for each ½ acre of lot size (or no less than 20,000 sq. ft.).
 - (4) Partially enclosed (and roofed) structures shall be provided and maintained for all animals. Such structures shall be sited at the rear of the main dwelling and at least 30 feet from neighboring dwellings and comply with all other setback and yard regulations of the zone district and shall also comply with requirements outlined by the Salt Lake County Board of Health.
2. Household Pets. Not more than a total of six 6. common household pets, including dogs, cats, rabbits, ducks and chickens, on a non-nuisance basis for family use only (non-commercial). Exception: no more than two [2] dogs per residence unless the resident has procured a dog hobby license to allow up to a total of five [5] dogs.
3. Outdoor Animal Domiciles. Outdoor barns, corrals, cages, pens, coops, dog/cat house, etc. shall be no closer than thirty (30) feet to any neighboring dwelling. The facilities shall be placed in compliance with all animal regulations, noise and nuisance regulations, and Salt Lake County Health Department regulations and procedures. NOTE: This section applies only to those animal facilities placed outside the main dwelling unit. This regulation does not apply to any location within the interior of the home, including the garage or other attached interior space. EXCEPTION: All dog kennels and dog runs must be setback at least ten [10] feet from the property line and at least forty [40] feet from all neighboring dwellings.

H. Residential Parking Requirements and Restrictions

1. Parking of Oversized Vehicles

- a. Parking Space Requirements. All locations within the front setback utilized for the parking of oversized vehicles shall be paved with a hard surface, such as concrete, asphalt, brick, or other water impenetrable surface.
- b. Parking Location Restrictions. All oversized vehicles shall be parked within the rear or side yard of the home. Such vehicles may only park within the front yard of a home if it is physically impossible due to topography or property boundaries to locate an oversized vehicle within the rear or side yard of a home.
 - (1) **Restricted Parking Area**. No Oversized Vehicle as defined in this section shall park within the restricted parking area as defined in Section A.
 - (2) **Corner Lots**. Oversized vehicles shall not be parked on the street side of the sideyard of the home, except where they are screened from view by a fence or densely planted

landscaping.

- a. Such parking shall not create a traffic visibility hazard; or
 - b. Intrude into the sixty [60] foot corner visibility triangle as illustrated below.
 - c. Prohibited Parking Locations. The parking of an oversized vehicle within the restricted parking area or the parking of the oversized vehicle so that any portion of the vehicle extends into the restricted parking area is prohibited. Oversized vehicles shall not be parked or stored within the right-of-way.
 - d. Number of Oversized Vehicles Permitted. Only one such vehicle may be parked within the front yard and then only when a side or rear yard location is not available. No more than two [2] oversized vehicles shall be parked upon a residential lot.
 - e. License and Registration Requirement. All oversized vehicles shall have a current license and registration sticker, as required by the State of Utah Department of Motor Vehicles.
2. **Car Ports, Vehicle Covers.** All structures attached to the dwelling for the purpose of protecting or otherwise covering the vehicle shall comply with existing zoning regulations for minimum distance between main dwelling structures and side property lines. Where tarp vehicle covers are used, earth tone colors are encouraged.
 3. **Minimum Rear Yard Access.** There shall be provided a three [3] foot wide unobstructed access to the rear yard for emergency access purposes. Said access may be gated, and may be located on either side yard of the home.
 4. **Off-Street Parking.** Sufficient off-street parking shall be provided and maintained for all vehicles, reserving on-street parking for guests only. It shall be prohibited to park vehicles upon landscaped areas.
 5. **Enforcement.** The authority to enforce the provisions of this section shall be vested in the Sandy City Police Department and with the Community Development Department.

I. **Residential Facility for Elderly Persons or for Persons with a Disability**

1. Purpose. The purpose of this section is to: (1) comply with Sections 10-9-502 and 10-9-605 of the Utah Code; and (2) avoid discrimination in housing against persons with disabilities pursuant to the Utah Fair Housing Act and the Federal Fair Housing Act as interpreted by courts whose decisions are binding in Utah. This section is not a separate zone for such facilities, but rather an overlay zone applied to all residential zones within Sandy City.

If any facility, residence, congregate living or other housing arrangement meets the definition of a residential facility for elderly persons or a residential facility for persons with a disability as set forth in this Title, the requirements of this Chapter shall govern the same notwithstanding any conflicting provision of this Title or the Revised Ordinances of Sandy City. Except as provided herein, the requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Title, the Revised Ordinances of Sandy City, or other local, county, state or federal laws.

2. Permitted Uses

- a. **Permitted Uses.** Notwithstanding any contrary provision of this Title, a residential facility for elderly persons and a residential facility for persons with a disability shall be permitted uses in any zone where a dwelling is allowed as a permitted or conditional use subject to the development standards in paragraph C of this section.
- b. **Termination.** A use permitted by this Section is nontransferable and shall terminate if:
 - (1) The facility is devoted to a use other than a residential facility for elderly persons or a residential facility for persons with a disability, or
 - (2) Any license or certification issued by the Utah Department of Health or the Department of Human Services for such facility terminates or is revoked, or
 - (3) The facility fails to comply with requirements set forth in this Chapter.
3. **Development Standards.** The development standards set forth in this Section shall apply to any residential facility for elderly persons or residential facility for persons with a disability.
 - a. **Building, Safety and Health Regulations.** The facility shall comply with building, safety, and health regulations applicable to similar residential structures within the residential zone in which the facility is located.
 - (1) Each facility shall be subject to the same development standards applicable to similar residential structures located in the same zoning district in which the facility is located.
 - (2) The minimum number of parking spaces required for a facility shall be the same as for similar structures located in the same zoning district in which the facility is located.
 - b. **No Dangerous Persons Permitted.** No facility shall be made available to an individual whose tenancy would:
 - (1) Constitute a direct threat to the health or safety of other individuals, or
 - (2) Result in substantial physical damage to the property of others.
 - c. **License and Certification.** Prior to occupancy of any facility, the person or entity operating the facility shall:
 - (1) Provide to the City a copy of any license or certification required by the Utah State Department of Health or the Utah State Department of Human Services, and
 - (2) Certify in a sworn statement that no person will reside or remain in the facility whose tenancy would:
 - (a) Constitute a direct threat to the health or safety of other individuals, or
 - (b) Result in substantial physical damage to the property of others.
 - (3) Obtain a Sandy City business license.

4. Reasonable Accommodation.

- a. **Reasonable Accommodation Required.** None of the requirements of this Chapter shall be interpreted to limit any reasonable accommodation necessary to allow the establishment or occupancy of a residential facility for persons with a disability.
- b. **Application.** Any person or entity wanting a reasonable accommodation shall make application therefor to the Planning Commission and shall articulate in writing the nature of the requested accommodation and the basis for the request.
- c. **Appeal.** If a reasonable accommodation request is denied, the decision may be appealed to the Board of Adjustment in the manner provided for appeals of administrative decisions set forth in this Title.
- d. **Prohibited Accommodations.** The requested accommodation must relate to the use of the property so that it may be enjoyed as other similarly situated properties. Examples include a reduction in setback requirements for the installation of handicapped accessibility improvements. An accommodation cannot be granted to waive a zoning requirement, general setback reduction requests not related to the occupants, to increase the profitability of the facility, or to increase the maximum number of unrelated occupants above eight (8) plus 2 additional persons acting as houseparents or guardians.

5. Reasonable Accommodation Review Process. The Planning Commission shall review all applications for reasonable accommodation. In order to evaluate the impact of the proposed facility and its similarity to the impact of a single family dwelling occupied by a family (or, where applicable in multiple-family zones, a multiple family dwelling), the following information must be submitted with the application. Additional information may be requested by staff or the Planning Commission to aid in that review.

- a. Sufficiently detailed site plans, building plans and other information necessary to determine compliance with building, safety and health regulations and standards applicable to similar residential dwellings permitted in the zone.
- b. Drawings depicting the elevations of all sides of all buildings.
- c. Specific type of facility (as defined by state regulations) and by which agency it is regulated.
- d. Number of residents, resident and non-resident staff and expected/typical number of visitors per day.
- e. Location and number of similar facilities in the vicinity of the proposed facility.
- f. Type of operation - business, family, eleemosynary, charitable, or beneficial organization.
- g. Supervision - hours and degree of supervision to be provided.
- h. Typical or average length of stay of the residents.
- i. Special accommodation(s), waivers, or exceptions requested or necessary, extent thereof and basis for need for the same.

- j. Photographs and plot plans of residences within 1000 feet of the proposed site that are similar in size and scope to the accommodation request.
 - k. Location of any schools within 500 feet of the property line of the proposed site.
6. Scope of Planning Commission Review for Reasonable Accommodation.
- a. The Planning Commission shall review the application for a reasonable accommodation for the purpose of:
 - (1) verifying compliance with the building, safety and health regulations that are applicable to similar structures, including those found in the UBC (Uniform Building Code), UFC (Uniform Fire Code), Life Safety Code, Sandy City Ordinances, state statutes and regulations and federal laws and regulations; and
 - (2) determining if the residential facility is consistent with the use of the building as a single family dwelling and has no different or greater impact on the neighborhood than a single family dwelling occupied by a family as defined in this Title (or, in multifamily zones, to a multiple family dwelling occupied by multiple families.
 - b. The Planning Commission shall determine if each such accommodation, waiver or exception or some modification thereof is reasonable when taken as a whole together with all other accommodations, waivers or exceptions
 - c. The Planning Commission shall approve only those applications that:
 - (1) comply with the regulations set forth above;
 - (2) which have no different or greater impact than a single family dwelling occupied by a family (or, where applicable in multiple family zones, multiple family dwelling occupied by multiple families);
 - (3) and which it determines are reasonable.
 - d. The Planning Commission may impose conditions consistent with the guidelines set forth in the Conditional Use Permit Review, 15-05-07.
7. Licensing. Any such facility must comply with all federal, state, county and city regulations including obtaining a Sandy City business license. At the time of licensing with Sandy City and/or renewal, the applicant must provide copies of all necessary certifications/recertifications or licenses which as required by state regulations.
8. Exemptions. A Residential Facility for Persons with a Disability shall not include facilities which house persons who are violent, who are not voluntarily residing therein, or who are residing therein as a part of or in lieu of confinement, rehabilitation or treatment in a correctional facility.

15-05-05 General Use Standards - Non-Residential

A. Exposition/Convention Center

- 1. General. This section provides specific standards for certain uses which are permitted or are

operated as accessory uses as part of a Exposition/Convention Center. All uses are not allowed unless the standards described in this section are met.

a.. Standards applicable to all activities

- (1) No temporary signage is permitted within the landscape area along street frontages. The Exposition/Convention Center Electronic Message Board sign(s) shall be the primary street identification for shows and activities within the facility.
- (2) Temporary banners may be affixed above approved designated (typically found upon but not limited to above the main entrances to the facility) to assist in directing patrons to a specific exhibition hall.
- (3) Admittance to any activity, regardless of time extension, shall cease at 12:00 a.m. Sunday through Thursday, and shall cease at 1:00 a.m. for Friday and Saturday. No activity, including private meetings, shall extend beyond these hours unless otherwise approved as permitted in section 3 for extended hours.
- (4) Outdoor uses (e.g. sales, display, sporting events, or activity areas) that occupy required parking areas shall ensure that adequate parking is provided. A detailed parking plan shall be submitted and approved by the Community Development Department to ensure that adequate parking is provided. The parking plan may include areas that are off-site, provided that a shuttle service is provided.
- (5) No outdoor event shall take place within the area for loading/unloading activities or adjacent to residential areas.
- (6) In addition to all other necessary licenses and permits, all vendors who sell or contract to sell a product or other taxable service shall obtain a temporary sales tax number and provide a copy to Sandy City Business Licensing of their temporary sales tax identification number indicating Sandy City as the point of sale.
- (7) Outdoor sales or consumption of alcohol is prohibited.
- (8) Pornographic Material or Performances are prohibited.
 - (a) Any material or performance is pornographic if considered as a whole, applying contemporary community standards:
 - (b) Its predominant appeal is to prurient interest; and
 - (c) It goes substantially beyond customary limits of candor in the description or representation of nudity, sex, or excretion.
 - (d) In any prosecution dealing with an offense relating to pornographic material or performances, the question whether the predominant appeal of material or of a performance is to prurient interest shall be determined with reference to average adults.
 - (e) Neither the prosecution nor the defense shall be required to introduce expert witness testimony concerning the pornographic character of the material or performance

which is the subject of prosecution under this chapter.

- b. Additional Standards for Specific Activities. In addition to the above standards, the following requirements apply to the listed activity classifications:

(1) Outdoor Activities (i.e. Vehicle Shows/Sales, Sporting Events, Product Demonstrations)

- (a) Outdoor sales shall not extend beyond 9:00 p.m. nor commence prior to 9:00 a.m.
- (b) Attendance by the general public to the outdoor portion of any show shall not extend beyond 9:00 p.m. nor commence prior to 9:00 a.m.
- (c) No outdoor sporting event shall continue after dusk (½ hour before sunset) or 8:00 p.m., whichever is earlier.
- (d) Outdoor displays and booths are permitted only in designated areas.
- (e) No outdoor display or booth shall occupy a required parking area unless the appropriate parking plan has been submitted and approved.
- (f) No outdoor display shall create noise or odor in violation of applicable noise and health ordinances.

(2) Concerts (live or broadcast)and/or Dances

- (a) For Concerts only, ticketed, assigned, and fixed seating is required. Unassigned or non-fixed seating (also known as “Festival” seating) is not permitted.
- (b) One [1] security guard per two-hundred [200] individuals attending unless otherwise required by the Sandy City Police Department or facility management.
- (c) Emergency medical personnel on-site as required by the Sandy City Fire Department.
- (d) All doors of the facility that are adjacent to a residential area must be closed during the performance.
- (e) Live bands are prohibited from “warming-up” or “performing” in outdoor areas adjacent to residential areas.
- (f) No loitering in parking lot by patrons. Security must also patrol parking area to prevent patrons from loitering in the parking lot.
- (g) All laws and ordinances for curfew for individuals under the age of eighteen [18] must be obeyed.

(3) Extended Hours past 12:00 a.m (Sun -Thur) or 1:00 a.m. (Fri-Sat).

- (a) A separate conditional use permit shall be required. The Permit is obtained after public hearing before the City Planning Commission. No more than three [3] conditional use permits for extended hours for the facility shall be issued in a calendar year (Jan-Dec). This is not to be interpreted to mean three [3] separate

conditional permits per event operator. They are the total number permitted per year for the entire facility.

- (b) In no instance may a permit be granted for operation of any activity beyond 2:00 a.m.
- (c) All laws and ordinances for curfew for individuals under the age of eighteen [18] must be obeyed.
- (d) No loitering in parking lot by patrons. Security must also patrol parking area to prevent patrons from loitering in the parking lot.
- (e) All doors of the facility that are adjacent to a residential area must be closed during the activity.
- (f) Exemptions:
 - 1. Set-up of indoor events
 - 2. Take-down of indoor events
 - 3. Maintenance of indoor events
 - 4. Private Meetings and Functions. Sponsor of function is responsible to provide appropriate indoor and parking lot security. Proper supervision of patrons is required. Must comply with Utah Alcohol Service Laws governing hours of service.

15-05-06 Sexually Oriented Businesses

A. **Purpose.** It is the purpose and objective of this chapter that the City establish reasonable and uniform regulations to prevent the concentration of sexually oriented businesses or their location in areas deleterious to Sandy City; to regulate the signage of such businesses; to control the adverse effects of such signage; and to prevent inappropriate exposure of such businesses to the community. This chapter is to be construed as a regulation of time, place and manner of the operation of these businesses, consistent with the limitations provided by provisions of the United States of America and Utah constitutions.

B. **Definitions.** For the purposes of this section, the following terms shall mean:

Gateway. For the purpose of this chapter, the term "gateway" shall mean 9000 South street as it begins at the western most boundary continuing east to State Street.

C. General Provisions

1. Sexually oriented businesses, other than outcall services and nude and seminude dancing agencies, shall be permitted only in areas zoned ID, subject to the following restrictions:

a. No sexually oriented business shall be located:

- (1) Within one thousand (1,000) feet from any school, public park, library, or religious or cultural activity;

- (2) Within five hundred (500) feet of any other sexually oriented business;
 - (3) Within six hundred (600) feet from an agricultural or residential use or residential zoning boundary. For the purposes of this section, the measurement from an agricultural or residential use shall begin at the property line of such use.
 - (4) Within one hundred fifty (150) feet of the 9000 South Street gateway. The distance shall be measured from right-of-way boundary.
 - (5) No property within six hundred (600) feet of the Interstate 15 Freeway right-of-way boundary. The right-of-way boundary includes the frontage road on either side of the freeway, inasmuch as the road is adjacent to the freeway. This includes all portions of the property that are not within the buffer area, but are completely or partially within the buffer zone.
- b. Distance requirements from structures for this section shall be measured in a straight line, without regard to intervening structures or zoning districts, from the structure of the school, public park, religious or cultural activity, residential use, or other sexually oriented business and to the structure of the sexually oriented business.
 - c. Distance requirements from zoning districts for this section shall be measured in a straight line, without regard to intervening structures or zoning districts, from the zoning boundary of a residential or agricultural district to the sexually oriented business structure.
2. Outcall services and nude and seminude dancing agencies shall be permitted only in the PO, CC, BC, and CBD zones as an office, business use only. They shall not be permitted as a Home Occupation.
 3. All existing legal nonconforming sexually oriented businesses, as of the effective date of the ordinance codified in this section, or any amendment hereto, shall comply with the provisions of this section within one (1) year from the date of the enactment of this section or any amendment thereto.
- D. **Signage.** Notwithstanding anything contrary contained in Chapter 15-10, Sign Regulations, the more restrictive requirements for signs shall prevail. Signs for sexually oriented businesses shall be limited as follows:
1. No more than one (1) exterior sign shall be allowed;
 2. No sign shall be allowed to exceed eighteen (18) square feet;
 3. No animation shall be permitted on or around any sign, or on the exterior walls or roof of such premises;
 4. No descriptive art or designs depicting any activity related to, or inferring, the nature of the business shall be allowed on any sign. Said signs shall contain alphanumeric copy only;
 5. Only flat signs shall be permitted;
 6. Painted wall advertising shall not be allowed;

7. Other than the signs specifically allowed by this chapter, the sexually oriented business shall not construct or allow to be constructed any temporary sign, banner, light, or other device designed to draw attention to the business location.
- E. **Severability.** If any provision or clause of this Section or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provisions, clause or application hereof, and to this end the provisions and clauses of this Section are declared to severable.

15-05-07 Conditional Use Permit

- A. **Purpose.** The purpose and intent of a conditional use is to allow the compatible integration of specified uses which are related to the permitted uses of the district, but which may be suitable and desirable only by compliance with specified conditions. Uses other than permitted uses shall not be allowed unless after appropriate administrative review, a use is determined to be compatible, suitable, desirable and related to permitted uses of the district and appropriate conditions are imposed.
- B. **Requirement for Conditional Use Permit.** A Conditional Use Permit shall be required for all uses listed as conditional uses in each Zone District or elsewhere in the Land Development Code. A Conditional Use Permit may be revoked upon failure to comply with conditions of the original approval.
1. **Application.** Application for a Conditional Use Permit shall be made by the property owner or certified agent thereof to the Community Development Director.
 2. **Conditional Use Permit Approval.** The application shall be accompanied by maps, drawings, or other documents sufficient to meet the requirements of a site plan review for those conditional uses which require such a review, and sufficient information to demonstrate that the general and specific requirements of this Code will be met by the construction and operation of the proposed building, structure, or use. The Planning Commission may deny a permit; may grant a permit as applied for ; or may grant a permit subject to such requirements and conditions with respect to location, construction, maintenance, operation, and duration of the proposed use as it may deem necessary for the protection of adjacent properties and the public interest. The granting of a Conditional Use Permit shall not exempt the applicant from the applicable requirements outlined in this or other ordinances of Sandy City or any more restrictive provisions of covenants, agreements or other ordinances or laws.
 3. **Fee.** The application for any Conditional Use Permit shall be accompanied by the appropriate fee established by resolution of the City Council. An application form is available at the Department of Community Development.
 4. **Public Hearing.** A public hearing may be held when considered by the Planning Commission to be in the public interest. In the following instances the holding of a public hearing shall be mandatory:
 - a. The Planning Commission determines that existing streets and thoroughfares are not suitable or adequate to carry anticipated traffic, and increased densities resulting from the proposed use may generate traffic in such amounts as to overload the street network.

- b. The Planning Commission determines that increases in miscellaneous traffic, light, odor, noise or environmental pollution generated by the proposed use may significantly change the intended characteristics of the district as outlined in this Code.
 - c. The Planning Commission determines that the architectural design of the proposed use varies significantly from the architectural characteristics of the district in which such use is proposed.
 - d. Any commercial use within 250 feet of a residential district, when such commercial use operates between 10:00 p.m. and 6:00 a.m. of any day, and/or any industrial use within 300 feet of a residential district or use.
 - e. Any use that involves materials which are determined by the Sandy City Fire Chief to be hazardous, dangerous, or otherwise pose a threat to the health, safety and welfare of the community.
- C. **Determination.** Uses other than permitted use shall not be allowed. However, the Planning Commission may allow a use to be located within any district in which the particular use is allowed as a conditional use by this Code if it determines the use is appropriate after due consideration and evaluation. In authorizing any conditional use, the Planning Commission shall impose such requirements and conditions necessary for the protection of adjacent properties and the public welfare. Conditional Use Permit unless the evidence presented is such as to establish:
- 1. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood; and
 - 2. That such use will not, under the circumstances of that particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
 - 3. That the proposed use will comply with regulations and conditions specified in this Code for such use; and
 - 4. That the proposed use will conform to the intent of the Sandy City Comprehensive Plan; and
 - 5. That conditions imposed by the Planning Commission shall be based upon guidelines described in this Section or any special conditions or requirements as may be specified elsewhere in this Code.
- D. **Building Permit.** Following the issuance of Conditional Use Permit by the Planning Commission and site plan review, if required, the Director may approve an application for a building permit and shall ensure that development is undertaken and completed in compliance with said permit.
- E. **Time Limit.** Unless the uses and conditions prescribed in a Conditional Use Permit are implemented within a maximum period of one year of its issuance, the Conditional Use Permit shall expire. The Planning Commission may grant a "one time" maximum extension of up to six months under exceptional circumstances.
- F. **Guidelines For Conditions.** Applicants for conditional use permits shall meet all specific requirements made in this Development Code. Applications for conditional use permits which are

business-oriented must meet all requirements deemed necessary by the Business License Division. In addition, the Planning Commission may establish conditions as outlined herein to meet the concerns of safety for persons and property, health and sanitation, environment, comprehensive plan proposals and neighborhood needs, performance, and administration. More specifically, the Planning Commission may require:

1. Conditions Relating to Safety for Persons and Property

- a. Building elevations and grading plans which will prevent or minimize flood water damage, where property may be subject to flooding; for example, down-sloping driveways.
- b. The relocation, covering or fencing of irrigation ditches, drainage channels, and other potentially attractive nuisances existing on or adjacent to the property.
- c. Increased setback distances from lot lines where the Planning Commission determines it to be necessary to ensure the public safety.
- d. Appropriate design, construction, and location of structures, buildings, and facilities in relation to any earthquake fault or other seismic hazard, which may exist on or near the property, and limitations and/or restrictions to use and/or location of use due to site conditions, including but not limited to flood plains or landslide areas that may exist outside of the Sensitive Area Overlay Zones.
- e. Additional restrictions on the arrangement and dimensions of truck loading and unloading facilities.
- f. Construction of curbs, gutters, drainage culverts, sidewalks, streets, fire hydrants, and street lighting.
- g. Wind Energy Conversion Systems.

2. Conditions Relating to Health and Sanitation

- a. A guarantee of sufficient water to serve the intended land use and a water delivery system to be installed which meet standards adopted by the City.
- b. A wastewater disposal system approved by the appropriate sewer district.
- c. Solid waste disposal constructed according to standards adopted by the City Council, and any additional standards deemed reasonably necessary by the Planning Commission.
- d. Construction of water mains, sewer mains, and drainage facilities serving the proposed use, in sizes necessary to protect existing utility users in the district and to provide for orderly development of land in the City.

3. Conditions Relating to Environmental Concerns

- a. Limitations and/or restrictions on the use and/or location of uses in areas that may exist outside of the Sensitive Area Overlay Zone area due to soils capabilities, wildlife, and plant life.

- b. Processes for the control, elimination, or prevention of land, water, or air pollution; the prevention of soil erosion; and the control of objectionable odors and noise.
 - c. The planting of ground cover or other surfacing to prevent dust and erosion.
 - d. Restructuring and revegetation of the land when the use involves cutting and/or filling the land and where such land would be adversely affected if not restructured.
4. Conditions Relating to Compliance with Intent of Comprehensive Plan and Characteristics of the Zone District
- a. Limitation that certain conditional uses be located only on lots fronting arterial or collector streets within the district.
 - b. The removal of structures, debris, or plant materials incompatible with the desired characteristics of the district.
 - c. The screening of yards or other areas as protection from non-compatible land uses and activities.
 - d. Landscaping in addition to that which may be required in other chapters of this Code, to ensure compatibility with the intended neighboring land uses.
 - e. Limitations or controls on the location, height, lighting, and materials used for the construction of structures to ensure harmony with the characteristics of the neighboring land uses specifically if the use abuts a residential district.
 - f. Limitations of controls on the location, height, and materials of walls, fences, hedges, and screen plantings to ensure harmony with adjacent development, or to conceal storage areas, utility installations, or other unsightly development.
 - g. The relocation of proposed or existing structures as necessary to provide for future streets on the Official Street Map, adequate sight distances for general safety, groundwater control, or similar problems.
 - h. Provision for or construction of recreational facilities necessary to satisfy the needs of the conditional use.
 - i. Increased setback distances from lot lines where the Planning Commission determines it to be necessary to ensure compatibility with the characteristics of the district.
 - j. Modification to allow population density and intensity of land use where land capability and/or vicinity relationships make it appropriate to do so to protect health, safety, and welfare.
 - k. Other improvements which serve the property in question and which may compensate in part or in whole for possible adverse impacts to the district from the proposed conditional use.
5. Conditions Relating to Performance
- a. A bond or other valuable assurance in favor of the City in an amount to be determined by the

City may be required.

G. Conditional Use Appeals

1. All appeals from decisions of the Planning Commission regarding conditional use permits shall be heard by the City Council.
2. Except as provided in subsection (3), review of decisions of the Planning Commission shall be confined to the administrative record developed by the Commission.
3. The City Council may hold a public hearing or permit an evidentiary review outside the Planning Commission record to determine whether:
 - a. An alleged procedural irregularity has occurred that does not appear in the records.
 - b. The proposed use would (i) influence patterns of growth adverse to the integrity of the comprehensive plan as implemented by the zoning ordinance; (ii) have a long-term detrimental impact on City resources available for capital improvements or urban services; or (iii) undermine the health, safety or welfare of the surrounding neighborhood or community.
4. Hearings may be held by the City Council itself, or by any Council member, hearing examiner, or agent appointed by the Council.
5. The City Council may overrule any approval or disapproval by the Planning Commission, or any conditions imposed. It may approve or deny the conditional use, impose additional conditions thereon, or remand the appeal to the Planning Commission for further consideration.
6. Any decision by the City Council approving or denying the conditional use permit shall be final and subject to the conditions imposed by the Council. The Development Code shall not be construed to vest a right to any conditional use except upon complete and continued compliance with the conditions finally approved.